
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

**Act No. 21 (S.49). Environmental health; water supply; water quality;
polyfluoroalkyl substances; perfluoroalkyl substances**

**An act relating to the regulation of polyfluoroalkyl substances in drinking
and surface waters**

This act requires all public community water systems and all nontransient noncommunity water systems (water systems) to conduct monitoring on or before December 1, 2019 for the maximum number of perfluoroalkyl substances and polyfluoroalkyl substances (PFAS) detectable using standard analytical methods. After initial monitoring, water systems shall conduct continued monitoring until the Agency of Natural Resources (ANR) adopts a maximum contaminant level (MCL) for five listed PFAS (regulated PFAS contaminants). If initial monitoring detects regulated PFAS contaminants at or above 20 parts per trillion (ppt), a system shall conduct quarterly monitoring. If initial monitoring detects regulated PFAS contaminants at or above 2 ppt but below 20 ppt, a system shall monitor annually. If initial monitoring detects regulated PFAS contaminants below 2 ppt, a system shall conduct monitoring every three years. If monitoring confirms regulated PFAS contaminants in excess of 20 ppt, the water system shall implement treatment to reduce PFAS contaminants in the drinking water below 20 ppt.

On or before February 1, 2020, ANR shall adopt by rule a MCL for regulated PFAS substances. The initial monitoring requirements for water systems shall be repealed upon adoption of the MCL. On or before March 1, 2021, ANR shall either file a proposed water supply rule to regulate PFAS substances as a class or subclass or summarize why it will not adopt the rule.

The act requires ANR to issue a plan to regulate PFAS substances in surface waters. On or before January 1, 2020, ANR shall adopt, at a minimum, water quality standards for the regulated PFAS contaminants. ANR also shall issue a plan for the statewide investigation of potential sources of contamination from PFAS substances. The act authorizes ANR to require any entity permitted by the Agency to monitor for any constituent for which the Department of Health has issued a health advisory. ANR also shall report to the legislature regarding management of contaminants of emerging concern in leachate at landfills.

Effective Date: May 15, 2019